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12 Attorneys for Defendants
CARMELITA'S ROSEVELLIE, INC; CLEMENTE
13 HEREDIA dba CARMELITA'S MEXICAN
RESTAURANT and ROSALBA HEREDIA dba
14 CARMELITA'S MEXICAN RESTAURANT

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

18 LAUREL ASHLEY,
19 Plaintiff,
20 v.
21 CARMELITA'S ROSEVELLIE, INC;
22 CLEMENTE HEREDIA dba
CARMELITA'S MEXICAN
23 RESTAURANT;
ROSALBA HEREDIA dba
24 CARMELITA'S MEXICAN
RESTAURANT,
25 Defendants.

CASE NO. 2:23-cv-01345-JAM-AC
Civil Rights

**STIPULATION AND ORDER TO DISMISS
DEFENDANTS CLEMENTE HEREDIA dba
CARMELITA'S MEXICAN RESTAURANT
AND ROSALBA HEREDIA dba
CARMELITA'S MEXICAN RESTAURANT
WITHOUT PREJUDICE**

27 **STIPULATION**
28 Plaintiff LAUREL ASHLEY and Defendants CARMELITA'S ROSEVILLE, INC.;

1 CLEMENTE HEREDIA dba CARMELITA'S MEXICAN RESTAURANT and ROSALBA
2 HEREDIA dba CARMELITA'S MEXICAN RESTAURANT by and through their respective
3 attorneys, hereby jointly stipulate and respectfully request that the Court dismiss the above-
4 entitled action as to and against Defendants CLEMENTE HEREDIA dba CARMELITA'S
5 MEXICAN RESTAURANT and ROSALBA HEREDIA dba CARMELITA'S MEXICAN
6 RESTAURANT pursuant to FRCP 41(a). The Parties request this dismissal be entered without
7 prejudice.

8 The Parties request that the Court allow the case to continue against Defendant
9 CARMELITA'S ROSEVILLE, INC.

10 **IT IS SO STIPULATED.**

11 Date: October 3, 2023

REIN & CLEFTON

12
13 */s/ Aaron M. Clefton*
14 By AARON M. CLEFTON, Esq.
15 Attorney for Plaintiff
LAUREL ASHLEY

16 Date: October 3, 2023

JACKSON LEWIS P.C.

17
18 */s/ Erika M. Barbara*
19 By ERIKA M. BARBARA, Esq.
EVAN M. McBRIDE, Esq.
20 Attorney for Defendants
CARMELITA'S ROSEVILLE, INC.,;
21 CLEMENTE HEREDIA dba
CARMELITA'S MEXICAN
22 RESTAURANT and
ROSALBA HEREDIA dba CARMELITA'S
23 MEXICAN RESTAURANT

ORDER

GOOD CAUSE BEING SHOWN, it is so ORDERED. Defendants CLEMENTE HEREDIA dba CARMELITA'S MEXICAN RESTAURANT and ROSALBA HEREDIA dba CARMELITA'S MEXICAN RESTAURANT only are **DISMISSED** from this matter without prejudice.

Dated: October 04, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE